



MINUTES

Of A

REGULAR COUNCIL MEETING

May 12, 2022

The City Council of the City of Longview, Texas, met in a Regular Session, May 12, 2022, at 5:30 p.m. in the Council Chambers of the Jo Ann Metcalf Municipal Building. Mayor Andy Mack presided.

Members present were:

Members absent were:

Andy Mack
Tem Carpenter
Nona Snoddy
Wray Wade
Kristen Ishihara
David Wright
Steven Pirtle

Staff members present were:

Rolin McPhee, City Manager
Angie Shepard, City Secretary
Jim Finley, City Attorney
Michael Shirley, Director of Development Services
Dwayne Archer, Director of Public Works
Laura Hill, Director of Grant Services
Scott Caron, Director of Parks and Recreation
Angela Coen, Director of Financial Services
Mary Ann Miller, Assistant City Manager
J.P. Steelman, Fire Chief
Anthony Boone, Acting Police Chief
Josh Gamble, Director of Information Technology
Bonnie Hubbard, Director of Administration

I. Call to Order – Mayor Andy Mack called the meeting to order.

II. Invocation – Tonight's prayer and pledge will be led by Aspire Mentoring Program match Donna Sharp and Peyton Jones.

III. Pledge of Allegiance – Peyton Jones, who recently moved to Longview from Corpus Christi, and is now finishing up her freshman year at Pine Tree High School led the pledge of allegiance.

I. Presentation

A. Presentation of a proclamation designating May 15th – 21st as National Police Week – Mayor Andy Mack.

B. Presentation of a proclamation designating May 15th - 21st as National Emergency Medical Services Week - Mayor Andy Mack.

II. Employee Recognition – Problem Property Team

The Problem Property Team is a multi-departmental collaboration that meets monthly to address property issues directly affecting the citizens of Longview. Representatives from the Longview Police Department, Code Compliance, the Longview Fire Marshal's office, Keep Longview Beautiful, Sanitation and Beautification divisions and Animal Services bring issues to a roundtable discussion and work together on a plan to address them.

As a result of this partnership, the Problem Properties Team has successfully identified countless dangerous buildings for demolition; worked with property owners to ensure unsecured homes and businesses are properly secured; has identified numerous junked vehicles that have been removed from homes and businesses throughout Longview; and has worked "neighborhood sweeps" together to address hundreds of other city ordinance violations. The group also participates in the Longview Police Department's "Project 365," where a specific geographical area is identified and departments concentrate their efforts over the course of a year.

III. Citizen Comment

Larry James Smith 2306 Nixon Drive spoke about his program of call Entolla, a mentoring program for men.

Richard Lazarus 1505 San Augustine spoke in approval of the "Beer Garden" to be located on Bill Owens parkway. Item G and H of zoning.

Jason Jones 1608 Auburn spoke in favor of the zoning change for Z22-09.

Bruce Goodwin 1210 Harvest Lane spoke in opposition of zoning item Z22-09.

Cindy Graham 1613 Centenary Drive spoke against the zoning item Z22-09.

Pam Aguilar 906 Grayson Drive spoke against the zoning item Z22-09

Julie Moon 1703 Clarendon St spoke against the rezoning of Z22-09 and had signed the petition against.

James Howard 5 Montclair Circle spoke for himself and the residents of the Huntington Park neighborhood. They oppose the beer garden and rezoning on Z22-09.

John Smith 101 Falcon Way spoke against the zoning items of G and H.

Jose Sanches 210 Charlene Street spoke about the recent election and thanked those in District 5 that supported him. City Council is a nonpartisan position and he believes this is the way to One Longview.

Pat O'Rear 1109 Windsong Lane spoke against the rezoning of Z22-09.

Mike Ford 902 Panola Ct spoke against the rezoning of Z22-09

Jonathan Blake Scott 113 Oak Isle spoke against the rezoning of Z22-09 on Bill Owens.

Eddie Bartlett 901 Bill Owens was concerned about the traffic on Bill Owens if Z22-12 passes.

Kenneth Shore, 4127 Airline Road was available for questions on the rezone for X22-10.

Vance P. Freeman, 1308 Cornell was available for zoning questions.

Travis Crafton 1201 W Loop 281 would be available for zoning questions.

Denny Bowles 3718 Holly Trail was available for zoning questions if needed.

Garrett Boersma 12205 Jasmine Ct was available for zoning item Z22-09.

IV. Public Safety

A. Police - Chief Anthony Boone

April Stats: Priority 1 calls for service average response was 4 minutes and 21 seconds. Dispatched calls for service was 5,362, 2,128 traffic stops and 30 DWI cases.

We have a long-term operation for Loop 281 and the surrounding areas that will begin this week. We will be addressing speeding, racing and red light violations.

Our customer service results remain high. 4.70 for police
How safe do you feel living/being in the City of Longview? 3.94 out of 5

Newest Police Department Officers:
Derek Farmer, Steven Harrison, Sandra Martinez, and John Arthur.

Thanks to the Greggton Rotary for another tournament between the Police and Fire. Sad to say the Fire Department takes home another trophy.

Police Teen Citizens Academy will be June 7 – 30. If you are interested, please call LT. James Bettis at 903-237-1129

Giants of Law Enforcement, a tribute to the agencies of Gregg County will be held May 17, 2022 at Maude Cobb and the doors open at 5:45

B. Fire – Chief JP Steelman

Disaster management course was held May 2 – 6 and we had members from Athens, DFW Metroplex, Mt. Pleasant, Longview and Smith County.

The Fire Department is proud to retain the traveling gold trophy once again. A special thanks to the Greggton Rotary Club for their sponsorship.

V. Discussion Items

A. Discuss the funds awarded to the City and or received by the City through the American Rescue Plan Act.

| | |
|--|----------------|
| Original Funds received May 2021 | \$8.52 million |
| 2020 and 2021 Revenue Loss | 4.05 million |
| Rehiring Frozen Positions | 1.30 million |
| Drainage Projects | 2.12 million |
| Current Balance of Received Funds | \$1.05 million |
| Anticipated Funds for May 2022 | \$8.52 million |
| Anticipated 2022 and 2023 Revenue Loss | 5.95 million |
| Balance of total funds not yet planned | \$3.63 million |

B. Receive and discuss a presentation from Stephen Powers and Jim Leslie concerning entertainment development opportunity at I-20.

Feasibility study was done for an amphitheater for the Longview/Gregg County area. The study estimates over \$212 million of economic impact over the next 30 years. An AMP will draw from a 75-mile radius. I-20 access from Shreveport to DFW and Longview's demographic statistics compare favorably to other markets supporting comparable AMPs.

This would be a public/private partnership. The private investor group will build, finance the AMP with risk of construction cost, receive public contributions when the AMP is complete and they will operate the AMP taking risk of operations.

VI. Consent Agenda

A. Consider a Resolution authorizing and directing the City Manager or the City Manager's designee to execute any necessary documents with Prater Electric of Rowlett, Texas for generator installation at Longview Transit –

Scott Lewis, Longview Transit General Manager was present and requested the Council to consider the approval of a Resolution allowing a contract for installation of a backup generator at our Longview Transit facility.

The City issued a proposal on March 22, 2022. The Request for Proposal was advertised in the Longview News Journal as required by law and posted on the city website. On April 8, 2022 two (2) proposals were on file and opened. The proposals received were:

Casey Slone Construction, Marshall, TX
Prater Electric, Rowlett, TX

The evaluation team scored based on the following criteria:

Organizational Capabilities and Qualifications (25%)
Prior Performance on Similar Projects/Background/Experience/References (25%)
Technical Capacity/Project Approach (20%)
Cost Proposal (30%)

The evaluation team scored Prater Electric the highest on both the technical and cost portions.

The following Resolution was approved:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LONGVIEW, TEXAS, ACCEPTING THE PROPOSAL OF PRATER ELECTRIC OF ROWLETT, TEXAS FOR A BACKUP GENERATOR AND INSTALLATION; AUTHORIZING THE CITY MANAGER OR THE CITY MANAGER'S DESIGNEE TO NEGOTIATE AND EXECUTE ANY CONTRACTS OR OTHER DOCUMENTS BY AND BETWEEN THE CITY OF LONGVIEW, TEXAS, AND PRATER ELECTRIC OF ROWLETT, TEXAS FOR SAID GENERATOR AND INSTALLATION; DETERMINING THAT THE CITY COMPLIED WITH ALL APPLICABLE COMPETITIVE PURCHASING REQUIREMENTS IN SOLICITING, RECEIVING, AND ACCEPTING SAID PROPOSAL; DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION WAS APPROVED COMPLIED WITH THE TEXAS OPEN MEETINGS ACT; MAKING OTHER FINDINGS AND PROVISIONS RELATED TO SUBJECT; AND DECLARING AN EFFECTIVE DATE.

Such Resolution No. 5940 appears in the Resolution and Ordinance records of the City of Longview.

B. Consider a Resolution awarding a contract to and authorizing and directing the City Manager or the City Manager's designee to execute any necessary documents with Machining & Valve Automation Services, LLC, of Quinlan, Texas, in the amount of \$137,825.00 for the construction of the Sabine Water Treatment Plant Clarifier Repairs Project –

Dwayne Archer, Director of Public Works was present and requested the Council to consider the approval of a Resolution awarding a contract in the amount of \$137,825.00 to Machining & Valve Automation Services, LLC, of Quinlan, Texas, for the construction of the referenced project. The following bids were opened on April 20, 2022:

Machining & Valve Automation Services, LLC \$137,825.00
Quinlan, TX

Southern Utility Works, LLC \$355,207.04
Beaumont, TX

This project consists of removing and replacing the damaged center column on clarifier No. 3 and miscellaneous work necessary to complete the installations for the project.

Public Works has examined the bids and the qualifications of the low bidder and recommends award of the contract to Machining & Valve Automation Services, LLC in the amount of \$137,825.00.

The following Resolution was approved:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LONGVIEW, TEXAS, ACCEPTING THE BID OF MACHINING & VALVE AUTOMATION SERVICES, LLC, OF QUINLAN, TEXAS, FOR CONSTRUCTION OF THE PROJECT ENTITLED "SABINE WATER TREATMENT PLANT CLARIFIER REPAIRS"; AUTHORIZING AND DIRECTING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE ANY DOCUMENTS NECESSARY BETWEEN THE CITY OF LONGVIEW AND MACHINING & VALVE

AUTOMATION SERVICES, LLC FOR THE ABOVE REFERENCED PROJECT; DETERMINING THAT THE CITY COMPLIED WITH ALL APPLICABLE BIDDING REQUIREMENTS IN ACCEPTING SAID BID; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION WAS PASSED WAS IN ACCORDANCE WITH THE REQUIREMENTS OF THE TEXAS OPEN MEETINGS ACT; MAKING OTHER FINDINGS AND PROVISIONS RELATED TO THE SUBJECT; AND DECLARING AN EFFECTIVE DATE.

Such Resolution No. 5941 appears in the Resolution and Ordinance records of the City of Longview.

C. Consider approval of the following minutes: April 14 and April 28, 2022 –

Angie Shepard, City Secretary was present and requested the Council to consider the approval of the April 14 and April 29, 2022 minutes.

MOTION: Council Member Ishihara made a motion to approve the consent agenda.

SECOND: Council Member Snoddy seconded the motion.

VOTE: The motion carried unanimously (7, 0).

VII. Action Item

Consider an Ordinance amending Chapter 103-40 of Article III in relation to updating Towing Fees for Non-Consensual Towing of the Longview City Code -

Anthony Boone, Police Chief was present and requested the Council to consider the approval of an Ordinance adopting and accepting fee changes amending Article III of Chapter 103-70 entitled "Towing Fees for Non-Consensual Towing." This resolution will directly affect light duty tows, heavy duty tows, and wait time on scenes of accidents or disable vehicle tows.

The current fees were adopted in 2011 limiting nonconsensual towing for light duty vehicles not to exceed \$132, heavy duty towing not to exceed \$305, and a

fee not to exceed \$80 per hour when required to stand-by at a scene of an accident or disabled vehicle tow, for any period beyond one hour.

The amendment would raise the maximum charge for the tow trucks by fourteen percent (14%) creating a maximum charge of \$150 for light duty tows, \$348 for heavy duty tows, and \$91 per hour for stand-by time exceeding one hour.

These charges are regulated by the City; however, these fees are not collected by the City, nor are the funds revenue for the City.

MOTION: Council Member Ishihara made a motion the following Ordinance be approved:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LONGVIEW, TEXAS, AMENDING SECTION 103-70 OF THE LONGVIEW CITY CODE TO PERMIT CERTAIN CHARGES FOR NONCONSENSUAL TOWING OF VEHICLES; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS ORDINANCE WAS PASSED COMPLIED WITH THE TEXAS OPEN MEETINGS ACT; MAKING OTHER FINDINGS AND PROVISIONS RELATED TO THE SUBJECT; AND DECLARING AN EFFECTIVE DATE.

SECOND: Council Member Carpenter seconded the motion.

VOTE: The motion carried unanimously (7, 0).

Such Ordinance is No. 4363 and appears in the Resolution and Ordinance records of the City of Longview.

VIII. Zoning Items

- A. A PUBLIC HEARING will be held to consider application #Z22-09 filed by Garrett Boersma requesting a rezone from Single Family (SF-4) to Townhome (TH) Zoning District for approximately 4.961 acres of AB 360 Alexander Jordan Survey situated on the southwest corner of Page Road and Delia Drive located at 3009 Page Road –**

Angela Choy, AICP, City Planner was present and presented the staff report.

APPLICATION #Z22-09

STAFF REPORT

May 12, 2022

APPLICANT: Garrett Boersma
LOCATION: Approximately 4.961 acres of AB 360 Alexander Jordan Survey situated on the south west corner of Page Road and Delia Drive located at 3009 Page Road.
REQUEST: Rezone from Single Family (SF-4) to Townhome (TH) Zoning District

| | <u>ZONING</u> | <u>LAND USE</u> |
|----------------|---------------|---------------------|
| SUBJECT PARCEL | SF-4 | Vacant |
| NORTH | SF-4 | Residential |
| SOUTH | PD15-03 | Vacant |
| WEST | SF-4 | Residential |
| EAST | C | Retail (Feed Store) |

COUNCIL DISTRICT:
District 4 – Council Member Kristen Ishihara

FUTURE LAND USE:
The Comprehensive Plan designates this area for Low Density Residential (LDR) and Retail (RET).

STAFF COMMENTS:
The applicant is requesting to rezone property located at the southwest corner of Page Road and Delia Drive from Single-Family (SF-4) to Townhome (TH) Zoning District.

Delia Drive and Page Road are classified as collector roadways and is maintained by the City of Longview. Collectors serve a critical role in the roadway network by gathering traffic from local roads and funneling them to the arterial network. This use is appropriate for this area, as long as access management is followed.

Staff finds the proposed zoning change is consistent with the future land use map and surrounding uses; therefore, this request does not constitute spot zoning.

RECOMMENDATION:

The Planning and Zoning Commission (8-0) and Staff recommend approval for this request

The public hearing was declared open.

There were no citizens in the audience to speak on this matter.

The public hearing was declared closed.

MOTION: Council Member Ishihara made a motion the following Ordinance be approved:

AN ORDINANCE AMENDING THE UNIFIED DEVELOPMENT CODE (UDC) OF THE CITY OF LONGVIEW, TEXAS, AS AMENDED (WHICH SAID ORDINANCE ADOPTS THE ZONING REGULATIONS, USE DISTRICTS, AND A ZONING MAP IN ACCORDANCE WITH A COMPREHENSIVE PLAN) BY CHANGING THE ZONING AND CLASSIFICATION OF THE FOLLOWING DESCRIBED PROPERTY AS FOLLOWS, TO-WIT: THAT APPROXIMATELY 4.961 ACRES OF AB 360 ALEXANDER JORDAN SURVEY SITUATED ON THE SOUTH WEST CORNER OF PAGE ROAD AND DELIA DRIVE LOCATED AT 3009 PAGE ROAD BE REZONED FROM SINGLE FAMILY (SF-4) TO TOWNHOME (TH) ZONING DISTRICT; FINDING THAT THE PLANNING AND ZONING COMMISSION MEETING AND THE CITY COUNCIL MEETING AT WHICH THIS ORDINANCE WAS APPROVED COMPLIED WITH THE TEXAS OPEN MEETINGS ACT; PROVIDING THAT VIOLATIONS OF THIS ORDINANCE SHALL BE SUBJECT TO THE SAME PENALTIES AND ENFORCEMENT AS VIOLATIONS OF THE ZONING PROVISIONS OF THE UDC, INCLUDING WITHOUT LIMITATION A FINE OF UP TO \$2,000.00 PER VIOLATION; REPEALING OTHER PROVISIONS IN CONFLICT HERewith; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR SEVERABILITY OF THE PROVISIONS HEREOF; MAKING OTHER FINDINGS AND PROVISIONS RELATED TO THE

SUBJECT; AND ESTABLISHING AN EFFECTIVE DATE.

SECOND: Council Member Pirtle seconded the motion.

VOTE: The motion carried unanimously (7, 0).

Such Ordinance is No. 4364 and appears in the Resolution and Ordinance records of the City of Longview.

B. A PUBLIC HEARING will be held to consider application #Z22-10 filed by Selwob Investments, LLC requesting a rezone from Single Family (SF-4) to General Retail (GR) Zoning District for approximately 6.6 acres of AB 262 A Jordan Survey Tracts 6 and 7 Section 1 located at 2447 North Eastman Road –

Angela Choy, AICP, City Planner was present and presented the staff report.

APPLICATION #Z22-10

STAFF REPORT

May 12, 2022

APPLICANT: Denny Bowles (Selwob Investments, LLC)
LOCATION: Approximately 6.6 acres of AB 262 A Jordan Survey Tracts 6 and 7 Section 1 located at 2447 North Eastman Road.
REQUEST: Rezone from Single Family (SF-4) to General Retail (GR) Zoning District

| | <u>ZONING</u> | <u>LAND USE</u> |
|----------------|----------------------|------------------------|
| SUBJECT PARCEL | SF-4 | Vacant |
| NORTH | SF-4 & GR | Vacant |
| SOUTH | SF-4 | Residential |
| WEST | SF-2 | Cargill Long Trail |
| EAST | GR & PD15-11 | Cell Tower & Vacant |

COUNCIL DISTRICT:
District 4 – Council Member Kristen Ishihara

FUTURE LAND USE:
The Comprehensive Plan designates this area for Office (OFF).

STAFF COMMENTS:

The applicant is requesting a rezone for approximately 6.6 acres of AB 262 A Jordan Survey Tracts 6 and 7 Section 1 from Single Family (SF-4) to General Retail (GR) located at 2447 North Eastman Road. The applicant is proposing self storage/mini warehouse for this site.

Eastman Road is classified as a principal arterial roadway. Principal arterials are designed to provide a high degree of mobility, service relatively high traffic volumes, have high operational speeds and service a significant portion of through travel. Retail use is appropriate for this area, as long as access management is followed.

Staff finds the proposed zoning change is consistent with the surrounding uses; therefore, the request does not constitute spot zoning.

A petition was submitted after the Planning and Zoning Commission meeting with 21% of the notified properties within 200 feet in protest of the zoning request. The Local Government Code states that an affirmative vote of at least three-fourths of all members of the governing body, City Council, is required to approve zoning requests that receive at least 20 percent of either: (1) the area of the lots or land covered by the proposed change; or (2) the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area.

This request will require an affirmative vote of three-fourths of all members of City Council to approve.

A neighborhood meeting was held on Monday, May 2, 2022, in the Council Chambers where staff along with the developer addressed many of the concerns that the neighbors had including buffering and traffic. Based on the neighborhood meeting, the developer agreed to a 40 foot undisturbed buffer adjacent to the single family home as shown on Exhibit A. He also agreed that access to Rande Drive would be limited to a gated secondary emergency access only. This gate will be at least 6 foot tall and must be constructed of wood or opaque type materials. The gate will have a setback of 40 feet from the end of the existing roadway.

RECOMMENDATION:

The Planning and Zoning Commission took no action on this item. Staff recommend approval for this request with the conditions listed below:

- A 40 foot undisturbed buffer adjacent to the single family home as shown on Exhibit A be provided.

- Access to Rande Drive would be limited to a gated secondary emergency access only. This gate will be at least 6 foot tall and must be constructed of wood or opaque type materials. The gate will have a setback of 40 feet from the end of the existing roadway.

The public hearing was declared open.

There were no citizens in the audience to speak on this matter.

The public hearing was declared closed.

MOTION: Council Member Ishihara made a motion the following Ordinance be approved:

AN ORDINANCE AMENDING THE UNIFIED DEVELOPMENT CODE (UDC) OF THE CITY OF LONGVIEW, TEXAS, AS AMENDED (WHICH SAID ORDINANCE ADOPTS THE ZONING REGULATIONS, USE DISTRICTS, AND A ZONING MAP IN ACCORDANCE WITH A COMPREHENSIVE PLAN) BY CHANGING THE ZONING AND CLASSIFICATION OF THE FOLLOWING DESCRIBED PROPERTY AS FOLLOWS, TO-WIT: THAT APPROXIMATELY 6.6 ACRES OF AB 262 A JORDAN SURVEY TRACTS 6 AND 7 SECTION 1, LOCATED AT 2447 NORTH EASTMAN ROAD BE REZONED FROM SINGLE FAMILY (SF-4) TO GENERAL RETAIL (GR) ZONING DISTRICT WITH STIPULATIONS; FINDING THAT THE PLANNING AND ZONING COMMISSION MEETING AND THE CITY COUNCIL MEETING AT WHICH THIS ORDINANCE WAS APPROVED COMPLIED WITH THE TEXAS OPEN MEETINGS ACT; PROVIDING THAT VIOLATIONS OF THIS ORDINANCE SHALL BE SUBJECT TO THE SAME PENALTIES AND ENFORCEMENT AS VIOLATIONS OF THE ZONING PROVISIONS OF THE UDC, INCLUDING WITHOUT LIMITATION A FINE OF UP TO \$2,000.00 PER VIOLATION; REPEALING OTHER PROVISIONS IN CONFLICT HEREWITH; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR SEVERABILITY OF THE PROVISIONS HEREOF; MAKING OTHER FINDINGS AND PROVISIONS RELATED TO THE

SUBJECT; AND ESTABLISHING AN EFFECTIVE DATE.

SECOND: Council Member Snoddy seconded the motion.

VOTE: The motion carried unanimously (7, 0).

Such Ordinance is No. 4365 and appears in the Resolution and Ordinance records of the City of Longview.

C. A PUBLIC HEARING will be held to consider application #S22-03 filed by Selwob Investments, LLC requesting a Specific Use Permit (SUP) to allow for a Self-Storage/Mini Warehouse in a General Retail (GR) Zoning District for approximately 6.6 acres of AB 262 A Jordan Survey Tracts 6 and 7 Section 1 located at 2447 North Eastman Road

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Angela Choy, AICP, City Planner was present and presented the staff report.

APPLICATION #S22-03

STAFF REPORT

May 12, 2022

APPLICANT: Selwob Investments, LLC
LOCATION: Approximately 6.6 acres of AB 262 A Jordan Survey Tracts 6 and 7 Section 1 located at 2447 North Eastman Road.
REQUEST: Specific Use Permit for a Self Storage/Mini Warehouse in a General Retail (GR) Zoning District.

| | <u>ZONING</u> | <u>LAND USE</u> |
|----------------|---------------|---------------------|
| SUBJECT PARCEL | SF-4 | Vacant |
| NORTH | SF-4 & GR | Vacant |
| SOUTH | SF-4 | Residential |
| WEST | SF-2 | Cargill Long Trail |
| EAST | GR & PD15-11 | Cell Tower & Vacant |

COUNCIL DISTRICT:
District 4 – Council Member Kristen Ishihara

FUTURE LAND USE:
The Future Land Use map designates this area for Office (OFF).

STAFF COMMENTS:

The applicant is requesting a Specific Use Permit (SUP) to allow for a Self-Storage/Mini Warehouse in a General Retail (GR) Zoning District.

A Specific Use Permit is required for Self-Storage/Mini Warehouses in General Retail (GR) zoning districts to ensure no negative impact on surrounding properties.

Eastman Road is maintained by TxDOT and is a principal arterial roadway. Principal arterial roadways serve major centers of metropolitan areas and provide a high degree of mobility. They are designed to service relatively high traffic volumes, have high operational speeds, and service a significant portion of through travel. This type of development is appropriate along this roadway, as long as access management is followed.

Staff finds the proposed zoning change is consistent with surrounding uses; therefore, the request does not constitute spot zoning.

A petition was submitted after the Planning and Zoning Commission meeting with 21% of the notified properties within 200 feet in protest of the zoning request. The Local Government Code states that an affirmative vote of at least three-fourths of all members of the governing body, City Council, is required to approve zoning requests that receive at least 20 percent of either: (1) the area of the lots or land covered by the proposed change; or (2) the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area.

This request will require an affirmative vote of three-fourths of all members of City Council to approve.

The public hearing was declared open.

There were no citizens in the audience to speak on this matter.

The public hearing was declared closed.

MOTION: Council Member Ishihara made a motion the following Ordinance be approved:

AN ORDINANCE GRANTING A SPECIFIC USE PERMIT (SUP) IN ACCORDANCE WITH THE UNIFIED DEVELOPMENT CODE (UDC) OF THE CITY OF LONGVIEW, TEXAS, TO ALLOW FOR A SELF-STORAGE/MINI WAREHOUSE IN A GENERAL RETAIL (GR) ZONING DISTRICT FOR APPROXIMATELY 6.6 ACRES OF AB 262 A JORDAN SURVEY TRACTS 6 AND 7 SECTION 1 LOCATED AT 2447 NORTH EASTMAN ROAD WITH STIPULATIONS; FINDING THAT THE PLANNING AND ZONING COMMISSION MEETING AND THE CITY COUNCIL MEETING AT WHICH THIS ORDINANCE WAS APPROVED COMPLIED WITH THE TEXAS OPEN MEETINGS ACT; PROVIDING THAT VIOLATIONS OF THIS ORDINANCE SHALL BE SUBJECT TO THE SAME PENALTIES AND ENFORCEMENT AS VIOLATIONS OF THE ZONING PROVISIONS OF THE UDC, INCLUDING WITHOUT LIMITATION A FINE OF UP TO \$2,000.00 PER VIOLATION; REPEALING OTHER PROVISIONS IN CONFLICT HERewith; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR SEVERABILITY OF THE PROVISIONS HEREOF; MAKING OTHER FINDINGS AND PROVISIONS RELATED TO THE SUBJECT; AND ESTABLISHING AN EFFECTIVE DATE.

SECOND: Council Member Wright seconded the motion.

VOTE: The motion carried unanimously (7, 0).

Such Ordinance is No. 4366 and appears in the Resolution and Ordinance records of the City of Longview.

D. A PUBLIC HEARING will be held to consider application #S22-04 filed by Nishil Patel requesting a Specific Use Permit (SUP) to allow for a Restaurant with a Private Club in a General Retail (GR) Zoning District for approximately 1.094 acres of Lot 1 Block 1 Chaparral Plaza Subdivision located at 120 Johnston Street –

Angela Choy, AICP, City Planner was present and presented the staff report.

**APPLICATION #S22-04
STAFF REPORT
May 12, 2022**

APPLICANT: Nishil Patel

LOCATION: Approximately 1.094 acres of Lot 1 Block 1 Chaparral Plaza
Subdivision
located at 120 Johnston Street.

REQUEST: Specific Use Permit for a Restaurant with a Private Club in a General
Retail (GR) Zoning District.

ZONING LAND USE

SUBJECT PARCEL GR Vacant Building
NORTH GR Gasoline Station/Restaurant
SOUTH SF-2 Public School
WEST SF-2 Guthrie Trail
EAST GR Retail Strip Center

COUNCIL DISTRICT:

District 6 – Council Member Steve Pirtle.

FUTURE LAND USE:

The Future Land Use map designates this area for Floodplain (FP) and Retail
(RET).

STAFF COMMENTS:

The applicant is requesting a Specific Use Permit (SUP) for a restaurant with
private club in General Retail (GR) zoning district. A Specific Use Permit is
required for a private club allowing for onsite consumption of alcoholic beverages
within GR zoning district to ensure no negative impact on surrounding properties.
Currently there is an existing restaurant that serves alcoholic beverages located
in the retail center. Staff finds the proposed zoning change is consistent with the
future land use map and surrounding uses therefore; it does not constitute spot
zoning.

RECOMMENDATION:

The Planning and Zoning Commission (8-0) and Staff recommend approval for
this request

The public hearing was declared open.

There were no citizens in the audience to speak on this matter.

The public hearing was declared closed.

MOTION: Council Member Pirtle made a motion the following Ordinance be approved:

AN ORDINANCE GRANTING A SPECIFIC USE PERMIT (SUP) IN ACCORDANCE WITH THE UNIFIED DEVELOPMENT CODE (UDC) OF THE CITY OF LONGVIEW, TEXAS, TO ALLOW FOR A RESTAURANT WITH A PRIVATE CLUB IN A GENERAL RETAIL (GR) ZONING DISTRICT FOR LOT 1 BLOCK 1 CHAPARRAL PLAZA SUBDIVISION LOCATED AT 120 JOHNSTON STREET; FINDING THAT THE PLANNING AND ZONING COMMISSION MEETING AND THE CITY COUNCIL MEETING AT WHICH THIS ORDINANCE WAS APPROVED COMPLIED WITH THE TEXAS OPEN MEETINGS ACT; PROVIDING THAT VIOLATIONS OF THIS ORDINANCE SHALL BE SUBJECT TO THE SAME PENALTIES AND ENFORCEMENT AS VIOLATIONS OF THE ZONING PROVISIONS OF THE UDC, INCLUDING WITHOUT LIMITATION A FINE OF UP TO \$2,000.00 PER VIOLATION; REPEALING OTHER PROVISIONS IN CONFLICT HERewith; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR SEVERABILITY OF THE PROVISIONS HEREOF; MAKING OTHER FINDINGS AND PROVISIONS RELATED TO THE SUBJECT; AND ESTABLISHING AN EFFECTIVE DATE.

SECOND: Council Member Carpenter seconded the motion.

VOTE: The motion carried unanimously (7, 0).

Such Ordinance is No. 4367 and appears in the Resolution and Ordinance records of the City of Longview.

- E. Consider an Ordinance allowing a variance to the requirements of Section 10-4 of the Longview City Code relating to the sale of alcoholic beverages whose place of business is within 300 feet of a**

school, said variance to apply to the tract of land with street address of 120 Johnston Street –

Angela Choy, AICP, City Planner was present and presented the staff report.

STAFF REPORT
May 12, 2022

APPLICANT: Shops at Guthrie, LLC
LOCATION: 120 Johnston Street
REQUEST: Variance to alcohol distance requirements

COUNCIL DISTRICT:
District 6 – Council Member Steve Pirtle

STAFF COMMENTS:

The property owner, Shops at Guthrie, LLC, is requesting a variance to allow for a restaurant to serve alcoholic beverages at 120 Johnston Street. The City of Longview Code prohibits the sale of alcoholic beverages within 300 feet of a school measured from property line to property line. This property shares a rear property line with the school.

There are several other businesses within the shopping center that sell alcoholic beverages within 300 feet of the school. This includes Fisherman's Market and Family Dollar. The original location of Bramlette Elementary was more than 300 feet away from these properties. The school purchased this property in 2009.

Due to its proximity to other establishments that serve alcoholic beverages, staff feels that it is appropriate to recommend approval of this request.

STAFF RECOMMENDATION:
Staff recommends approval for this request.

The public hearing was declared open.

There were no citizens in the audience to speak on this matter.

The public hearing was declared closed.

MOTION: Council Member Pirtle made a motion the following Ordinance be approved:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LONGVIEW, TEXAS, ALLOWING A VARIANCE TO THE REQUIREMENTS OF SECTION 10-4 OF THE LONGVIEW CITY CODE RELATING TO THE SALE OF ALCOHOLIC BEVERAGES WITHIN 300 FEET OF A SCHOOL, SAID VARIANCE TO APPLY TO THE TRACT OF LAND WITH A STREET ADDRESS OF 120 JOHNSTON STREET, AS SAID TRACT OF LAND IS MORE PARTICULARLY SHOWN IN THE ATTACHED EXHIBIT A; AUTHORIZING AND DIRECTING THE CITY SECRETARY AND SUCH OTHER CITY OFFICIALS AS MAY BE REQUIRED TO OBTAIN, COMPLETE, EXECUTE, AND DELIVER, ON BEHALF OF THE CITY OF LONGVIEW, ANY AND ALL SUCH DOCUMENTS AS MAY BE NECESSARY OR CONVENIENT TO DOCUMENT THE VARIANCE HEREIN ALLOWED AND EFFECT THE PURPOSES OF THIS ORDINANCE; FINDING THAT THE CITY COUNCIL MEETING AT WHICH THIS ORDINANCE WAS APPROVED COMPLIED WITH THE TEXAS OPEN MEETINGS ACT; MAKING OTHER FINDINGS AND PROVISIONS RELATED TO THE SUBJECT; AND ESTABLISHING AN EFFECTIVE DATE.

SECOND: Council Member Ishihara seconded the motion.

VOTE: The motion carried unanimously (7, 0).

Such Ordinance is No. 4368 and appears in the Resolution and Ordinance records of the City of Longview.

F. A PUBLIC HEARING will be held to consider application #Z22-11 filed by Longview Interfaith Hospitality Network, Inc. requesting a rezone from Heavy Commercial (C) to Single Family (SF-5) Zoning District for Lot 10 Block 11 (NCB 14) Northcutt Heights located at 700 North Edith Street –

Angela Choy, AICP, City Planner was present and presented the staff report.

APPLICATION #Z22-11

STAFF REPORT

May 12, 2022

APPLICANT: Longview Interfaith Hospitality Network, Inc.
LOCATION: Lot 10 Block 11 (NCB 14) Northcutt Heights located at 700 N. Edith Street.
REQUEST: Rezone from Heavy Commercial (C) to Single Family (SF-5) Zoning District.

| | <u>ZONING</u> | <u>LAND USE</u> |
|----------------|----------------------|--------------------------------|
| SUBJECT PARCEL | C | Vacant Building |
| NORTH | SF-5 | Vacant and Single Family Homes |
| SOUTH | C-2 | Warehouse |
| WEST | SF-5 | Electrical Power Substation |
| EAST | C-2 | Mobile Homes |

COUNCIL DISTRICT:

District 6 – Council Member Steve Pirtle

FUTURE LAND USE:

The Comprehensive Plan designates this area for Low Density Residential (LDR).

STAFF COMMENTS:

The applicant is requesting to rezone 700 N. Edith Street from Heavy Commercial (C) to Single Family (SF-5) Zoning District in order to convert the existing structure into a single family home.

Edith Street is classified as a local road and is maintained by the City of Longview. Staff finds the proposed zoning change is consistent with the future land use map and surrounding uses; therefore, this request does not constitute spot zoning.

RECOMMENDATION:

Planning and Zoning Commission (8-0) and Staff recommend approval of this request.

The public hearing was declared open.

There were no citizens in the audience to speak on this matter.

The public hearing was declared closed.

MOTION: Council Member Carpenter made a motion the following Ordinance be approved:

AN ORDINANCE AMENDING THE UNIFIED DEVELOPMENT CODE (UDC) OF THE CITY OF LONGVIEW, TEXAS, AS AMENDED (WHICH SAID ORDINANCE ADOPTS THE ZONING REGULATIONS, USE DISTRICTS, AND A ZONING MAP IN ACCORDANCE WITH A COMPREHENSIVE PLAN) BY CHANGING THE ZONING AND CLASSIFICATION OF THE FOLLOWING DESCRIBED PROPERTY AS FOLLOWS, TO-WIT: THAT LOT 10 BLOCK 11 (NCB 14) NORTHCUTT HEIGHTS LOCATED AT 700 NORTH EDITH STREET BE REZONED FROM HEAVY COMMERCIAL (C) TO SINGLE FAMILY (SF-5) ZONING DISTRICT; FINDING THAT THE PLANNING AND ZONING COMMISSION MEETING AND THE CITY COUNCIL MEETING AT WHICH THIS ORDINANCE WAS APPROVED COMPLIED WITH THE TEXAS OPEN MEETINGS ACT; PROVIDING THAT VIOLATIONS OF THIS ORDINANCE SHALL BE SUBJECT TO THE SAME PENALTIES AND ENFORCEMENT AS VIOLATIONS OF THE ZONING PROVISIONS OF THE UDC, INCLUDING WITHOUT LIMITATION A FINE OF UP TO \$2,000.00 PER VIOLATION; REPEALING OTHER PROVISIONS IN CONFLICT HERewith; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR SEVERABILITY OF THE PROVISIONS HEREOF; MAKING OTHER FINDINGS AND PROVISIONS RELATED TO THE SUBJECT; AND ESTABLISHING AN EFFECTIVE DATE

SECOND: Council Member Snoddy seconded the motion.

VOTE: The motion carried unanimously (7, 0).

Such Ordinance is No. 4369 and appears in the Resolution and Ordinance records of the City of Longview.

G. A PUBLIC HEARING will be held to consider application #Z22-12 filed by ShoreCarter Resources, LLC requesting a rezone from Multi-Family (MF-3) to General Retail (GR) Zoning District for approximately 11.506 acres of AB 4 I C Skillern Survey Tract 101-01 Section 5 located at 1022 Bill Owens Parkway –

Angela Choy, AICP, City Planner was present and presented the staff report.

**APPLICATION #Z22-12
STAFF REPORT
May 12, 2022**

APPLICANT: ShoreCarter Resources, LLC

LOCATION: Approximately 11.506 acres of AB 4 I C Skillern Survey Tract 101-01
Section 5 located at 1022 Bill Owens Parkway.

REQUEST: Rezone from Multi-Family (MF-3) to General Retail (GR) Zoning District.

ZONING LAND USE

SUBJECT PARCEL MF-3 Vacant
NORTH GR & SF-4 Paul Boorman Trail
SOUTH MF-3 Duplexes
WEST GR & SF-4 Vacant
EAST SF-4 Paul Boorman Trail

COUNCIL DISTRICT:

District 6 – Council Member Steve Pirtle.

FUTURE LAND USE:

The Comprehensive Plan designates this area for Floodplain (FP) and Medium Density Residential (MDR).

STAFF COMMENTS:

The applicant is requesting a rezone for approximately 11.506 acres located at 1022 Bill

Owens Parkway from Multi-Family (MF-3) to General Retail (GR) Zoning District. The

applicant would like to develop the property into a sports complex with sports fields/courts, retail areas, and a beer garden. He is also proposing to tie this development into the Paul Boorman Trail. Bill Owens Parkway is classified as a minor arterial roadway and is maintained by the City. Retail use is appropriate for this area, as long as access management is followed. Staff finds the proposed zoning change is consistent with adjacent zoning; therefore, the request does not constitute spot zoning.

RECOMMENDATION:

The Planning and Zoning Commission (8-0) and Staff recommend approval for this request.

The public hearing was declared open.

Kenneth Shore 4127 Airline Road was available for questions and also gave a brief description of the property, proposed building and hours of operation.

Karen Maines, 3014 Bill Owens Parkway spoke against the rezone for Z22-12.

Julie Moon 1703 Clarendon St requested the council table the item until there could be study of the lights and sounds from the location.

The public hearing was declared closed.

MOTION: Council Member Pirtle made a motion the following Ordinance with stipulations be approved:

AN ORDINANCE AMENDING THE UNIFIED DEVELOPMENT CODE (UDC) OF THE CITY OF LONGVIEW, TEXAS, AS AMENDED (WHICH SAID ORDINANCE ADOPTS THE ZONING REGULATIONS, USE DISTRICTS, AND A ZONING MAP IN ACCORDANCE WITH A COMPREHENSIVE PLAN) BY CHANGING THE ZONING AND CLASSIFICATION OF THE FOLLOWING

DESCRIBED PROPERTY AS FOLLOWS, TO-WIT: APPROXIMATELY 11.506 ACRES OF AB 4 I C SKILLERN SURVEY TRACT 101-01 SECTION 5 LOCATED AT 1022 BILL OWENS PARKWAY ARE HEREBY REZONED FROM MULTI FAMILY (MF-3) TO GENERAL RETAIL (GR) ZONING DISTRICT; FINDING THAT THE PLANNING AND ZONING COMMISSION MEETING AND THE CITY COUNCIL MEETING AT WHICH THIS ORDINANCE WAS APPROVED COMPLIED WITH THE TEXAS OPEN MEETINGS ACT; PROVIDING THAT VIOLATIONS OF THIS ORDINANCE SHALL BE SUBJECT TO THE SAME PENALTIES AND ENFORCEMENT AS VIOLATIONS OF THE ZONING PROVISIONS OF THE UDC, INCLUDING WITHOUT LIMITATION A FINE OF UP TO \$2,000.00 PER VIOLATION; REPEALING OTHER PROVISIONS IN CONFLICT HEREWITH; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR SEVERABILITY OF THE PROVISIONS HEREOF; MAKING OTHER FINDINGS AND PROVISIONS RELATED TO THE SUBJECT; AND ESTABLISHING AN EFFECTIVE DATE.

SECOND: Council Member Carpenter seconded the motion.

VOTE: The motion carried unanimously (6, 0) .

Such Ordinance is No. 4370 and appears in the Resolution and Ordinance records of the City of Longview.

H. A PUBLIC HEARING will be held to consider application #S22-05 filed by ShoreCarter Resources, LLC requesting a Specific Use Permit (SUP) to allow for Permanent Outdoor Amusement (sports complex with retail area) and a Neighborhood Pub/Tavern/Wine Bar (beer garden) in a General Retail (GR) Zoning District for approximately 11.506 acres of AB 4 I C Skillern Survey Tract 101-01 Section 5 located at 1022 Bill Owens Parkway –

Angela Choy, AICP, City Planner was present and presented the staff report.

**APPLICATION #S22-05
STAFF REPORT**

May 12, 2022

APPLICANT: ShoreCarter Resources, LLC

LOCATION: Approximately 11.506 acres of AB 4 I C Skillern Survey Tract 101-01
Section 5 located at 1022 Bill Owens Parkway.

REQUEST: Specific Use Permit for Permanent Outdoor Amusement (sports complex with a retail area) and a Neighborhood Pub/Tavern/Wine Bar (beer garden) in a General Retail (GR) Zoning District.

ZONING LAND USE

SUBJECT PARCEL MF-3 Vacant
NORTH GR & SF-4 Paul Boorman Trail
SOUTH MF-3 Duplexes
WEST GR & SF-4 Vacant
EAST SF-4 Paul Boorman Trail

COUNCIL DISTRICT:

District 6 – Council Member Steve Pirtle.

FUTURE LAND USE:

The Future Land Use map designates this area for Floodplain (FP) and Medium Density Residential (MDR).

STAFF COMMENTS:

The applicant is requesting a Specific Use Permit (SUP) to allow for Permanent Outdoor Amusement and Neighborhood Pub/Tavern/Wine Bar (< 2,500 sf) in General Retail (GR) Zoning District. A Specific Use Permit is required for Permanent Outdoor Amusement and Neighborhood Pub/Tavern/Wine Bar (< 2,500 sf) in a General Retail (GR) Zoning District to ensure no negative impact on surrounding properties. The applicant is proposing a beer garden with an outdoor area that includes fire pits, a stage, sports fields and pickle ball courts. He is also proposing to tie this development into the Paul Boorman Trail.

Staff finds the proposed zoning change is consistent with adjacent zoning; therefore, it does not constitute spot zoning.

RECOMMENDATION:

The Planning and Zoning Commission (8-0) and Staff recommend approval for this request.

The public hearing was declared open.

There were no citizens in the audience to speak on this matter.

The public hearing was declared closed.

MOTION: Council Member Pirtle made a motion the following Ordinance be approved:

AN ORDINANCE GRANTING A SPECIFIC USE PERMIT (SUP) IN ACCORDANCE WITH THE UNIFIED DEVELOPMENT CODE (UDC) OF THE CITY OF LONGVIEW, TEXAS, TO ALLOW FOR PERMANENT OUTDOOR AMUSEMENT (SPORTS COMPLEX WITH RETAIL AREA) AND A NEIGHBORHOOD PUB/TAVERN/WINE BAR (BEER GARDEN) IN A GENERAL RETAIL (GR) ZONING DISTRICT FOR APPROXIMATELY 11.506 ACRES OF AB 4 I C SKILLERN SURVEY TRACT 101-01 SECTION 5 LOCATED AT 1022 BILL OWENS PARKWAY; FINDING THAT THE PLANNING AND ZONING COMMISSION MEETING AND THE CITY COUNCIL MEETING AT WHICH THIS ORDINANCE WAS APPROVED COMPLIED WITH THE TEXAS OPEN MEETINGS ACT; PROVIDING THAT VIOLATIONS OF THIS ORDINANCE SHALL BE SUBJECT TO THE SAME PENALTIES AND ENFORCEMENT AS VIOLATIONS OF THE ZONING PROVISIONS OF THE UDC, INCLUDING WITHOUT LIMITATION A FINE OF UP TO \$2,000.00 PER VIOLATION; REPEALING OTHER PROVISIONS IN CONFLICT HEREWITH; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR SEVERABILITY OF THE PROVISIONS HEREOF; MAKING OTHER FINDINGS AND PROVISIONS RELATED TO THE SUBJECT; AND ESTABLISHING AN EFFECTIVE DATE.

SECOND: Council Member Snoddy seconded the motion.

VOTE: The motion carried unanimously (6, 0).

Such Ordinance is No. 4371 and appears in the Resolution and Ordinance records of the City of Longview.

- I. **A PUBLIC HEARING will be held to consider application #Z22-13 filed by Travis Crafton requesting a rezone from Multi-Family (MF-3) to General Retail (GR) Zoning District for approximately 0.138 acres of AB 4 I C Skillern Survey Tract 93 Section 5 located on the east side of Gilmer Road, north of East Fairmont Street –**

Angela Choy, AICP, City Planner was present and presented the staff report.

**APPLICATION #Z22-13
STAFF REPORT
May 12, 2022**

APPLICANT: Travis Crafton (Vera Bank)

LOCATION: Approximately 0.138 acres of AB 4 I C Skillern Survey Tract 93 Section 5 located on the east side of Gilmer Road, north of East Fairmont Street.

REQUEST: Rezone from Multi-Family (MF-3) to General Retail (GR) Zoning District

ZONING LAND USE

SUBJECT PARCEL MF-3 Vacant
NORTH MF-3 Vacant
SOUTH PD-2 Vera Bank
WEST GR Longview Dream Center
EAST MF-3 Vacant

COUNCIL DISTRICT:

District 6 – Council Member Steve Pirtle

FUTURE LAND USE:

The Comprehensive Plan designates this area for Retail (RET).

STAFF COMMENTS:

The applicant is requesting a rezone from Multi-Family (MF-3) to General Retail (GR) located on the east side of Gilmer Road, north of East Fairmont Street to build a drive through ATM for the existing bank located to the south. Gilmer Road is classified as a principal arterial roadway. Principal arterials are designed to

provide a high degree of mobility, service relatively high traffic volumes, have high operational speeds and service a significant portion of through travel. Retail use is appropriate for this area, as long as access management is followed. The site will be sharing a driveway with the property to the south.

Staff finds the proposed zoning change is consistent with the future land use map and surrounding uses; therefore, the request does not constitute spot zoning.

RECOMMENDATION:

The Planning and Zoning Commission (8-0) and Staff recommend approval for this request.

The public hearing was declared open.

There were no citizens in the audience to speak on this matter.

The public hearing was declared closed.

MOTION: Council Member Pirtle made a motion the following Ordinance be approved:

AN ORDINANCE AMENDING THE UNIFIED DEVELOPMENT CODE (UDC) OF THE CITY OF LONGVIEW, TEXAS, AS AMENDED (WHICH SAID ORDINANCE ADOPTS THE ZONING REGULATIONS, USE DISTRICTS, AND A ZONING MAP IN ACCORDANCE WITH A COMPREHENSIVE PLAN) BY CHANGING THE ZONING AND CLASSIFICATION OF THE FOLLOWING DESCRIBED PROPERTY AS FOLLOWS, TO-WIT: THAT APPROXIMATELY 0.138 ACRES OF AB 4 I C SKILLERN SURVEY TRACT 93 SECTION 5, LOCATED ON THE EAST SIDE OF GILMER ROAD, NORTH OF EAST FAIRMONT STREET BE REZONED FROM MULTI-FAMILY (MF-3) TO GENERAL RETAIL (GR) ZONING DISTRICT; FINDING THAT THE PLANNING AND ZONING COMMISSION MEETING AND THE CITY COUNCIL MEETING AT WHICH THIS ORDINANCE WAS APPROVED COMPLIED WITH THE TEXAS OPEN MEETINGS ACT; PROVIDING THAT VIOLATIONS

OF THIS ORDINANCE SHALL BE SUBJECT TO THE SAME PENALTIES AND ENFORCEMENT AS VIOLATIONS OF THE ZONING PROVISIONS OF THE UDC, INCLUDING WITHOUT LIMITATION A FINE OF UP TO \$2,000.00 PER VIOLATION; REPEALING OTHER PROVISIONS IN CONFLICT HERewith; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR SEVERABILITY OF THE PROVISIONS HEREOF; MAKING OTHER FINDINGS AND PROVISIONS RELATED TO THE SUBJECT; AND ESTABLISHING AN EFFECTIVE DATE.

SECOND: Council Member Carpenter seconded the motion.

VOTE: The motion carried unanimously (6, 0).

Such Ordinance is No. 4372 and appears in the Resolution and Ordinance records of the City of Longview.

XII. Items of Community Interest

XIII. Adjourn

The meeting was adjourned at 8:34 p.m.

[seal]

Angie Shepard
City Secretary

